THE VIRGINIA GAZETTE, & GENERAL ADVERTISER.

RICHMOND:—PRINTED (EVERY TUESDAY AND FRIDAY) BY AUGUSTINE DAVIS, AT FOUR DOLLARS PER ANNUM—PAID IN ADVANCE.

NUMBER 971.] FRIDAY, FEBRUARY 5, 1802. [VOLUME XVI.

NOTICE.

ANY person travelling to the Western Country, who would prefer having money at Pittsburg, to carrying it from hence, can be accommodated with a draft for any sum not exceeding twelve hundred dollars.—Enquire at the Post-Office.

Richmond, January 29, 1802.

Revised Code.

GENTLEMEN who wish to subscribe for the new edition of the REVISED CODE of the LAWS of VIRGINIA, are requested to observe, that the subscription will be positively closed upon the first of March next. The price to subscribers is only SIX DOLLARS. To all non-subscribers the price will be raised to EIGHT DOLLARS; and every gentleman who has not actually paid TWO DOLLARS in advance, must consider himself as coming under the class of non-subscribers.

Gentlemen who still hold Subscription Papers for the above work, are requested to send them in by the 11th of March next, with the advance money collected by them.

☞ Subscriptions will be received as usual till the above period, at *S. Pleasants'* Book-Store, and *H. Pace's* Printing-Office, Richmond.

Richmond, January 29, 1802. eo3t.

Twenty Dollars Reward

WILL be paid for delivering, or securing in any jail so that I get him my Negro Man Slave named

ANTHONY.

He is about thirty years of age, five feet 7 or 8 inches, and had on when he went away a blue cloth coat, a swan's down waistcoat, and a pair of purple Russia drill overalls. He has an old scar across his nose, and has lost the end of one of his little fingers by a whitlow, which occasions the nail to grow crooked over it. I suspect that he will go towards Richmond or Fredericksburg, and will probably endeavor to make his escape by water. All persons are cautioned against employing, harbouring or carrying him out of the state, as the law will be rigidly enforced against any person who may do either.

HARDIN BURNLEY.

Hanover, January 27, 1802. 1m.

SPORTS OF THE TURF!

THE NEW-MARKET

SPRING RACES

Will commence on Tuesday the 27th of April, and continue four days.

FIRST day, a Sweepstakes, by three year old colts and fillies, carrying each 86lbs. two mile heats, entrance One Hundred Dollars, half forfeit. This subscription will be kept open until the first day of April, and no longer. Entries to be made by letter or personal application to the subscriber. Should more than six start, the entrance money of the second best will be returned.

Second day, a purse of 400 dollars will be run for, four mile heats, entrance 30 dollars. Weights as heretofore established.

Third day, a purse of 200 dollars will be run for, two mile heats, entrance 15 dollars.

And the fourth day, a Sweepstakes, by three and four years old colts and fillies, the former carrying 86lb. and the latter 100lb. two mile heats, entrance 100 dollars. This subscription will be closed the evening of the third day's race; and if five or more nags start, the entrance money of the second best will be returned.

Good stables and litter furnished to race horses GRATIS.

STIRLING GARY,
Keeper of the Course.

January 26, 1802.

THE Subscriber having taken the above Course for two years, has furnished himself with good beds, as well as stables, together with ostlers and servants of a proper description; also, liquors of a superior quality. He flatters himself from his experience, and a desire to please, in the above business, to give general and complete satisfaction.

Dinners, either private or public, to be had on the shortest notice. *S. G.*

A FEW COPIES OF

Henning's Justice,

May be had at this Office, and of Mr. Pumfrey, Book-Binder and Stationer.

KNOWSLEY,

The most elegant and high formed English Horse, 15 hands 3 inches high, a fine bay, 6 years old last May, in great perfection, and as to muscular strength and beauty not inferior to any horse in the state, which will be readily acknowledged by those who will take a fair and impartial examination of him, full of vigour, and entirely clear of blemish—will stand at my stable on *Sandy Point* the present season; and will cover Mares at SIX GUINEAS, which may be discharged by the payment of TWENTY DOLLARS on or before the 10th day of August next: TEN GUINEAS to insure a colt, and THREE by the Leap, with One Dollar to the Groom at the stable door for each Mare. Mares may be fed at the market price of grain, in manner and quantity directed by the proprietors: Servants will be boarded without charge, and pasturage supplied *gratis*, equal in extent and goodness (if not superior) to any in the commonwealth, and laid out in different apartments, so as to suit Mares in foal, those that have foals, and all others. Here gentlemen will find it greatly to their interest to avail themselves of such advantages, independent of the high consideration of raising horses from so fine a stock. This horse has cost me on landing in this country upwards of seven hundred pounds sterling, which can be seen by reference to papers in my hands; and even at this price it was with difficulty he could be obtained, for my agent, a gentleman of great veracity, writes me he could have sold him for 150 Guineas more than the original purchase, which evidently proves the high estimation he was in.

Pedigree, given by Lord Derby in the following words, viz. "I do hereby certify, "that the bay horse called KNOWSLEY, late the property of the Prince "of Wales, was bred by me. He was "got by Sir Peter Teazle, out of Capella, and was six years old last May, and "no more.

(Signed) "DERBY. [Seal.]
"Knowley, June 15, 1801."

CAPELLA was bred by general Parker, foaled in 1773, and got by Herod—See General Stud Book, page 40. Sir Peter Teazle was got by Highflyer, in 1784—See same book, page 182. Highflyer was got by Herod—See page 201—And so on he may be traced through a noble line of ancestors for ages past, without a single flaw in his genealogy, either on the male or female side.

This extraordinary horse ran often with great credit at two years old, and at three proved successful; and so continued until the last of the year 1800. In 1801 he was purchased for me, and sent to Virginia.—In 1798 he won a sweepstakes of 20 guineas each, for three year olds, 8 subscribers, once round the ground, beating Mr. Puru's b. c. by Walnut, Sir H. T. Vane's Push forward, Sir H. Williamson's Stripling, Mr. Fletcher's g. c. Camperdown, Mr. G. Crompton's c. Basto, and Lord A. Hambilton's b. g. by Spadille, out of Snow Drop. See Calendar for 1798. He also won the Members' Plate of 50 guineas for three and four year olds, beating Lord Derby's four year old colt by Diomed, five to one on Knowsley, who was then Mr. Field's property. See Calendar for 1798. He also won a sweepstake for three year olds, beating Mr. Garforth's b. c. by Spadille, and Lord A. Hamilton's b. c. by Spadille. See Calender for 1799.

In May, 1799, York. On Tuesday May 28, a sweepstakes of 20 guineas each, (7 subscribers) then the property of Mr. Walker, was won by Knowsley, beating Lord Fitzwilliam's ch. h. Wonder, five years old, Lord Hamilton's ch. h. by Walnut, Sir Thomas Gascoigne's Maid of the Mill, and John Robinson's b. c. Abraham Newland. On Thursday the 30th following, he also won the Stand Plate, of 50 guineas, for four year olds, beating Lord A. Hamilton's b. c. by Spadille, Mr. Garforth's mare Caroline, 6 years old, Lord Belhaven's ch. h. Master Robert; 6 years old, Mr Wentforth's Barnaby, and Mr. J. Anson's gr. h. Little Scot, 5 years old.—See Calender for 1799.

IN June, 1800, (Guildford) the Prince of Wales owned him, and won the King's Plate for 4 year olds, of 100 guineas—10 stone 4 lbs. four mile heats, and beat Lord Donegall's b. h. by Pot 8 o's.—See Calendar for 1800, page 35.

Winchester, July 8. His Majesty's Plate of 100 guineas was run for and won by Knowsley, beating Lord Donegall's b. h. by Pot 8 o's, 5 years old, and Sir F. Evelyn's, b. h. Asparagus, 5 years old, 6 to 4 on Knowsley.

Lewes, August 12, 1800. The King's Plate of 100 guineas, four mile heats, was one by Knowsley, beating Lord Donegall's ch. c. Fluglemair; four to one on Knowsley. Thursday following he one a subscription of 10 guineas each, beating Mr. Durand's Belleisima, and Mr. Ladbroke's Humbug. See Calendar for 1800—78 and 79.

Litchfield, on Thursday September 9, he won the King's Plate of 100 guineas, three mile heats, for 5 year olds, carrying 8 stone 7lbs. beating Mr. Heming's b. h. Floro, ten to one on Knowsley.

Notwithstanding these evidences of Knowsley's superior worth, yet it is my wish that gentlemen should be still further satisfied by a personal view of him; it is also my desire that those who are inclined to speak and act candidly, would visit me in the Spring, and take a ride over the pastures, that they may be satisfied that nothing here asserted is exaggerated.

WILLIAM LIGHTFOOT.

February 1, 1802.

N. B. I will not be answerable for involuntary escapes or accidents.

SENATE OF THE *UNITED STATES.*

Thursday, January 14.

DEBATE

On Mr. Brackenridge's motion to repeal the act passed last session for a new organization of the JUDICIARY SYSTEM.

CONTINUED.

(Mr. Morris's speech concluded from our last.)

Mr. Morris.—The case is precisely the same. Until after the peace, the conquest is not complete. Every body knows that until the cession by treaty, the original owner has the postliminary right to a territory taken from him. Beyond all question where Congress are compelled to cede the territory, the judges can no longer exist unless the new sovereign confer the office. Over such a territory the authority of the constitution ceases, and of course the rights which it confers.

It is said, the judicial institution is intended for the benefit of the people, and not of the judge; and it is complained of, that in speaking of the office, we say it is HIS office, Undoubtedly the institution is for the benefit of the people. But the question remains how will it be rendered most beneficial? Is it by making the judge independent, by making it *his* office, or is it by placing him in a state of abject dependence, so that the office shall be his to-day, and belong to another to-morrow? Let the gentleman hear the words of the constitution; it speaks of *their* offices, consequently as applied to a single judge of *his* office, to be exercised by him for the benefit of the people of America, to which exercise his *independence* is as necessary as his *office*.

The gentleman from Virginia has on this occasion likened the judge to a bridge, and to various other objects; but I hope for his pardon, if, while I admire the lofty flights of his eloquence, I abstain from noticing observations which I conceive to be utterly irrevelant.

The same hon. member has not only given us his history of the supreme court, but has told us of the manner in which they do business, and expressed his fears that having little else to do, they will do mischief. We are not competent, Sir, to examine, nor ought we to prejudge their conduct. I am persuaded that they will do their duty, and presume they will have the decency to believe that we do our duty. In so far as they may be busied with the great mischief of checking the legislative or executive departments in any wanton invasion of our rights, I shall rejoice in that mischief. I hope indeed they will not be so busied, because I hope we shall give them no cause. But also I hope they will keep an eagle eye upon us lest we should. It was partly for this purpose they were established, and I trust that when properly called on they will dare to act. I know this doctrine is unpleasant. I know it is more popular to appeal to public opinion, that equivocal, transient being, which exists no where and every where. But if ever the occasion calls for it, I trust that the supreme court will not neglect doing the great mischief of saving this constitution, which can be done much better by their deliberations, than by resorting to what are called revolutionary measures.

The hon. member from North-Carolina, sore prest by the delicate situation in which he is placed, thinks he has discovered a new argument in favor of the vote which he is instructed to give. As far as I can enter into his ideas, and trace their progress, he seems to have assumed the position which was to be proved, and then searched through the constitution, not to discover whether the legislature have the right contended for, but whether, admitting them to possess it, there may not be something which might comport with that idea. I shall state the honorable member's argument, as I understood it, and if mistaken, pray to be corrected. He read to us that clause which relates to impeachment, and comparing it with that which fixes the tenure of judicial office, has observed that this clause must relate solely to a removal by the executive power, whose right to remove, tho' not indeed any where mentioned in the constitution, has been admitted in a practice founded on legislative construction.

That as the tenure of the office is during *good behaviour*, and as the clause respecting impeachment, does not specify *misbehaviour*, there is evidently a cause of removal, which cannot be reached by impeachment, and of course (the executive not being permitted to remove) the right must necessarily devolve on the legislature. Is this the honorable member's argument? If it be, the reply is very simple. *Misbehaviour* is not a term known in our law. The idea is expressed by the word *misdemeanor*; which word is in the clause quoted respecting impeachments.—Taking therefore the two together, and speaking plain old English, the constitution says—"The judges shall hold their offices so long as they shall *demean* themselves *well*, but if they shall *misdemean*, if they shall on impeachment be convicted of *misdemeanor*, they shall be removed."—Thus, Sir, the honorable member will find that the one clause is just as broad as the other. He will see, therefore, that the legislature can assume no right from the deficiency of either, and will find that this clause which he relied on goes, if rightly understood, to the confirmation of our doctrine.

Is there a member of this house, who can lay his hand on his heart and say that consistently with the plain words of our constitution, we have a right to repeal this law? I believe not. And if we undertake to construe this constitution to our purposes, and say that public opinion is to be our judge, there is an end to all constitutions. To what will not this dangerous doctrine lead? Should it to-day be the popular wish to destroy the first magistrate, you can destroy him. And should he to-morrow be able to conciliate to him the popular will, and lead them to wish for your destruction, it is easily effected. Adopt this principle, and the whim of the moment will not only be the law, but the constitution of our country.

The gentleman from Virginia has mentioned a great nation brought to the feet of one of her servants. But why is she in that situation? Is it not because popular opinion was called on to decide every thing, until those, who wore bayonets, decided for all the rest. Our situation is peculiar. At present our national compact can prevent a state from acting hostilely towards the general interest. But let this compact be destroyed and each state becomes instantaneously vested with absolute sovereignty—Is there no instance of a similar situation to be found in history? Look at the states of Greece. They were once in a condition not unlike to that in which we should then stand. They treated the recommendations of their Amphictionic Council (which was more a meeting of ambassadors than a legislative assembly) as we did the resolutions of the old Congress. Are we wise? So were they.—Are we valiant? They also were brave. Have we one common language, and are we united under one head? In this also there is a strong resemblance. But by their divisions they became at first victims of the ambition of Philip, and were at length swallowed up in the Roman empire. Are we to form an exception to the general principles of human nature, and to all the examples of history? And are the maxims of experience to become false, when applied to our fate?

Some, indeed, flatter themselves, that our destiny will be like that of Rome. Such indeed it might be if we had the same wise, but vile, aristocracy under whose guidance they became the masters of this world. But we have not that strong aristocratic arm, which can seize a wretched citizen, scourged almost to death by a remorseless creditor, turn him into the ranks, and bid him as a soldier bear our Eagle in triumph round the globe. I hope to God we shall never have such an abominable institution. But what, I ask, will be the situation of these States (organized as they now are) if by the dissolution of our national compact they be left to themselves? What is the probable result? We shall either be the victims of foreign intrigue, and split into factions, fall under the domination of a foreign power, or else after the misery and torment of civil war, become the subjects of an usurping military despot. What but this compact! What but this specific part of it, can save us from ruin? The judicial power; that fortress of the constitution, is now to be overturned. Yes, with honest Ajax I would not only throw a shield before it. I would build around it a wall of brass. But I am too weak to defend the rampart against the host of assailants. I must call to my assistance their good sense, their patriotism, and their virtue. Do not, gentlemen, suffer the rage of passion to drive reason from her seat. If this law be indeed bad, let us join to remedy the defects. Has it been passed in a manner which wounded your pride, or roused your resentment? Have, I conjure you, the magnanimity to pardon that offence. I entreat, I implore you, to sacrifice those angry passions to the interests of our country. Pour out this pride of opinion on the altar of patriotism. Let it be an expiatory libation for the weal of America. Do not, for God's sake, do not suffer that pride to plunge us all into the abyss of ruin. Indeed, indeed, it will be but of little, very little avail, whether one opinion or the other be right or wrong—it will heal no wounds, it will pay no debts, it will rebuild no ravaged towns—Do not rely on that popular will, which has brought us frail beings into political existence? That opinion is but a changeable thing. It will soon change. This very measure will change it. You will be deceived. Do not I beseech you, in reliance on a foundation so frail, commit the dignity, the harmony, the existence of our nation to the wild wind. Trust not your treasure to the waves. Throw not your compass and your charts into the ocean. Do not believe that its billows will waft you into port. Indeed, indeed, you will be deceived. Oh, cast not away this only anchor of our safety. I have seen its progress. I know the difficulties through which it was obtained. I stand in the presence of Almighty God, and of the world. I declare to you, that if you lose this charter, never! no never! will you get another. We are now perhaps arrived at the parting point. Here, ever here, we stand on the brink of fate. Pause—Pause—For heaven's sake pause.

Mr. BRECKENRIDGE.—It is high time, Mr. President, that the attention of the committee should be again called to the *real* merits of the question under discussion. We have wandered long enough, with the gentlemen in the opposition, in those re-

gions of fancy and of terror, to which they have led us. They muſt indulge us in returning and purſuing our object.

I cannot, however, in juſtice to my feelings, go into the diſcuſſion, without making ſome remarks on the manner with which the attempts of thoſe who are in favor of this repeal, have been treated. It has been echoed and re-echoed at every ſentence, that we are attacking a law, matured by wiſdom, and upon which the rights and ſecurity of the nation depend. That we are about to demoliſh the principal pillar in the fabric of our conſtitution, and thereby diſſolve the union: and we are politely reminded by the gentleman from Connecticut, that the Roman government, alſo once the favorite fabric of the world, bent under the rude ſtroke of Gothic hands. Without enquiring who has entitled theſe honorable gentlemen, to aſſume to themſelves the excluſive guardianſhip of the conſtitution; and without inquiring what their attachment to it is; I do not pretend, Sir, and that without paying to myſelf any compliment, that *great* as theirs may be, mine is not leſs. Gentlemen may, therefore, for the future, ſave themſelves the trouble of attempting to arouſe my fears on this ſubject, when I once for all aſſure them, that my duty as a citizen, and my faith as a ſenator, are more operative with me, than the warning voice of any man or ſet of men, from what quarter ſoever it may come, and however high the pretenſions to experience and patriotiſm are, which they may chooſe to aſſume. But nevertheleſs, my anxiety to preſerve inviolate this conſtitution, I am not to be diverted from my object by every tocſin of alarm which gentlemen may think fit to ſound.—Let me not be told of dangers to the conſtitution, and of dangers to the union. Contemptible, indeed, is the baſis on which that conſtitution reſts, poor is the compliment to the good ſenſe and patriotiſm of the people of America, if that conſtitution and their liberties can, as has been contended, be ſhaken to the centre, by the repeal of a ſingle law, of but a ſingle year's duration; ſuſpicious indeed in its origin, burdenſome and uſeleſs to the community, and affecting ſimply a few individuals, intereſted againſt that repeal, by paltry pecuniary conſiderations only.

I ſhall commence the remarks I am about to make, by aſking a ſingle queſtion, which applies to *all* the obſervations of the gentlemen in the oppoſition. Has any gentleman ſhewed, or attempted to ſhew, that the increaſe of courts and judges by this law, was neceſſary or juſtifiable from the ſtate of things at the time it was paſſed? They have, I admit, attempted to ſhew by reaſoning at a great diſtance, that they may be wanting hereafter, that our empire is large, that it is populating faſt, and that inſurrections might happen. Indeed the gentlemen in the oppoſition have taken different and inconſiſtent ground. The honorable gentleman from N. Hampſhire, venerable from his years, and reſpectable from his talents, tells us, this law was not the offspring of a night, but has been well matured. The gentleman from Vermont requeſts that we may not proſtrate meaſures from pique. The gentleman from Maſſachuſetts takes different ground, and denies the power of Congreſs to repeal the law; and the gentleman from Connecticut ſays, that the original law, eſtabliſhing the judiciary, was but an *experiment*: and that experience is the only ſure teſt of all human contrivances.

Now for the conſiſtency of gentlemen. Some contend that the law was well matured, and ought not to be diſpenſed with. Others, that we cannot repeal it all, whether matured or not well matured; and others that it is a part of a ſyſtem of experiment. If, Sir, the firſt law was an experiment, this law is of courſe an experiment upon an experiment. Now for the reaſoning of the gentleman from Connecticut. "Experience is the only ſure teſt of all regulations;" therefore, you may make an experiment, and even an experiment upon an experiment, but yet theſe experiments are unalterable. This is really an original notion about experiments; that you may try them to ſee if they will anſwer, but whether they do or do not, they are faſtened on you.

The honorable gentleman from Georgia could not after two explanations atone to the gentleman from Connecticut for an inadvertent expreſſion dropt by him in the warmth of argument, which carried an inſinuation, that this law was made in a *paſſion*. Let the gentleman from Connecticut, therefore, have it as he ſtated it, that the law paſſed with *great coolneſs and deliberation*. If gentlemen then ſuppoſed it was to be an irrepealable experiment, and to be entailed on their country, *I will ſay* it was a wanton experiment. I will ſay more: It was an experiment, which inſtead of being juſtified by a ſhadow of neceſſity, was negatived by the exiſting ſtate of things at the time it was made; and that it was an experiment never made upon earth before, to try, how courts and judges would anſwer, without buſineſs.—The abſurdity, moreover, with reſpect to this ſtrange doctrine of irrepealable experiments, is increaſed, becauſe ſome gentlemen admit, that you may modify and change the law but ſo as not to effect the judges. I underſtand them then on that point to mean, that you may modify and change the law as you pleaſe, provided you increaſe the number of judges, or the expence of the ſyſtem; but that you violate the conſtitution, if you diminiſh the number of judges or attempt to economize the ſyſtem: or, in other words, it is conſtitutional to aboliſh any part, or all of the ſyſtem, but what relates to the ſalary part of it: which in plain Engliſh would be, "do what you pleaſe, gentlemen, with our ſyſtem; but ſpare, oh ſpare thoſe for whom it was made, the judges."

The gentleman from Maſſachuſetts aſks for any inſtance of an attempt ſimilar to the one under conſideration. If he meant of an example of the abolition of courts and judges, which had become unneceſſary, I refer him to the examples of Maryland and Virginia, already cited; ſtates compoſed of one million two hundred thouſand inhabitants, and compoſing more than one fifth part of the union, who have each exerciſed that power. An inſtance, exactly or very nearly ſimilar to the one under conſideration, cannot, I ſuppoſe, be adduced; for I would aſk him in my turn, if he can ſhew me in the union, or the univerſe, an inſtance of a ſet of courts created without any buſineſs for them to act on; and beneficial to the judges only?

The gentleman from Maſſachuſetts has conceded a point, which is at variance with the principal ground he has taken. He admits, if a judge in a particular diſtrict be incompetent from inſanity, diſability, or other ſufficient cauſe to perform his duties, Congreſs might repeal ſo much of the law as relates to his diſtrict, and thereby put down this judge. How is this? If a law can be repealed, and a judge put down, becauſe he is unable to diſcharge the duties of his office, cannot a law be repealed and a judge be put down, where he has no duties to diſcharge? It becauſe a judge who cannot diſcharge the duties actually aſſigned him, (although by the act of government) may be diſpenſed with, is it ſound reaſoning to ſay, that you cannot diſpenſe with a judge, although you have aboliſhed his duties? Again, purſuing the gentleman's own caſe, it *part* of a law can be repealed, and a particular diſtrict and judge put down, what is it that arreſts your power, as to all the diſtricts, and the whole corps of judges?

[Here Mr. Jonathan Maſon roſe to explain; and ſaid the gentleman had miſunderſtood him. The idea he intended to convey was, that if Congreſs had power to put down one judge or one diſtrict, they had the power to put down all the courts and judges, but that they had no power to do either.]

Mr. Breckenridge ſaid, he was ſorry he had miſunderſtood the gentleman; he had ſo noted his obſervation; but he would then beg leave to notice an obſervation of the gentleman from New-York; which applies to this part of the ſubject.—That gentleman has admitted, that you may new model your courts *for the benefit of the people*; but you cannot affect the judges; for they are *in* (to uſe his expreſſion) under the conſtitution; and he contends, that not only the firſt ſect. of the 3d art. is *imperative*, but alſo the 8th ſect. of the firſt art. which gives Congreſs the "power to conſtitute tribunals inferior to the ſupreme court." This laſt ſection gives to Congreſs the power alſo to paſs bankrupt laws; naturalization laws, tax laws, &c. &c. Are all theſe powers imperative alſo? And after you have eſtabliſhed a poſt road, paſſed a bankrupt law, or a tax law, are they all irrepealable, and are all the officers created by them all *in* alſo under the conſtitution? The ſame conſtruction applies to all; and ſhews them all to be *diſcretional* powers. But this modification is to be for the benefit of the people. Can it be for the benefit of the people *never* to aboliſh courts? Two inſtances have been already cited. And what principle is it, which ought ſolely to actuate legiſlators in enacting, modifying or repealing any law, but the good of the people? Gentlemen really argue as if they conſidered courts made for the judges and not for the people.

Suppoſe this ſubject could be diſcuſſed by the people and the judges, what would be the language of each? The people would ſay theſe additional courts are totally uſeleſs. The judges would reply, (if they hold the ſame opinions that the gentlemen in the oppoſition do) that they are not uſeleſs, for they tend to inſpire terror and keep men honeſt: The people alledge there is no buſineſs for them to tranſact: The judges anſwer, that the country is increaſing faſt in population, and there *will be* buſineſs, perhaps, by and bye: The people contend they ought not to incur an expence without ſome advantage: Their honors reply, it amounts to but one cent a man, and is not worth growling about: The people, however, declare their determination to aboliſh theſe courts as things for which they have no uſe: The judges then reply, in the language of the gentleman from New-York, "You are a den of robbers, your conſtitution is gone, and all men will fly your ſhores."

The gentleman from Maſſachuſetts admits the preſident has power to remove at pleaſure all officers appointed by him but the judges, but does not ſee the force of my application of it. I apply it in this way:—Although thoſe officers have a right to hold their offices at the will of the preſident, and the legiſlature cannot remove them during the continuance of their offices, yet the legiſlature can remove without the will of the preſident, by *aboliſhing* their offices. In caſe, for example, the exciſe law is repealed, what will become of the ſupervifors, and other officers created by that law? They will go out with the law; for an extinguiſhment of their duties will neceſſarily carry with it an extinction of their offices, whether the preſident wills it or not.

But a judge ſtands on more independent ground. He ſhall not be removed at the will of the preſident, nor be ſtarved out by the legiſlature. He ſhall be removed from the exerciſe of his duties for miſbehaviour only, *whilſt exerciſing* thoſe duties: And during the continuance of his office, or in other words, his duties, the legiſlature ſhall not diminiſh the conſideration annexed to thoſe duties. His independence and honeſty in office, therefore, are ſufficiently ſecured againſt executive or legiſlative influence.

But the gentleman from N. York has racked his very fertile imagination to render familiar to us by compariſons, this wonderful and unprecedented thing; an officer without an office, a judge without a court, without duties, or without authority. He has likened him to a bridge, to a boat, to the national debt, and to an 8 per cent. uſurer. I will ſpare your gravity, and that of the committee, by refraining to examine the ſimilitude as to the firſt two objects. What likeneſs is there between the ſalary of a judge and the national debt? The national debt is a *veſted right*; a right not accruing for ſervices which may be rendered, but for ſervices or money actually rendered or advenced. It is a debt, the conſideration for which we have acknowledged to have received, and for the diſcharge of which we have pledged ourſelves. It is a debt we are under moral obligations to pay, having previouſly received from the creditors is equivalent. Here ſtands the caſe of the ſalary, which is ſaid to be oppoſite. Is that a veſted right? Is that a debt for which the community have received an equivalent? It is neither. It is a debt which from its nature the public faith cannot ſtand pledged to pay, except ſo far only as the ſervices actually performed require; it being dependant in its very creation on ſervices to be performed; and which may be diſpenſed with when they are no longer wanted.

Is the caſe of the 8 per cent. uſurer more oppoſite? If the occaſions of men induce them to reſort to the hords of uſurers, it is a voluntary act; they know its intent and conſequences, and they ought in juſtice to be bound by their contract. Altho' Shylock may not be intitled to his pound of fleſh, yet he is intitled to his uſury and intereſt. And the caſe of the petty uſurer ſtands on the ſame ground, with all thoſe important uſurers, who loaned at 8 per cent. their money and ſtock to the United States, during her late preparations to fight the French.

The gentleman from New-York expreſſes his utter aſtoniſhment at the idea of judges and courts being too numerous; and refers us to the example of Alfred, whoſe courts and judges were ſo numerous and well organized, and had impoſed ſuch terror into his kingdom, that a purſe of gold might lay in ſafety on the high-way. I remember reading long ſince of theſe hundred courts, courts leet, courts baron, &c. and if I am not miſtaken, ſir, he had a court of *chivalry* too, of much about the ſame value and advantage in his kingdom, as your additional courts are here. But if the gentleman meditates ſuch extenſion and perfection in our judicial ſyſtem, why not reſort to the fountain head and take example from *Moſes*, who is certainly higher authority. He, ſir, eſtabliſhed his rulers or judges, of thouſands, of hundreds, of fifties and of tens; and men too, ſays the book, hating *covetouſneſs*; that is, I preſume, having no ſalaries. But I take it, that both Alfred and Moſes had a wider range in legiſlation than this ſenate, and therefore their regulations cannot be very applicable.

The gentlemen both from New-York and Connecticut have preſſed upon us the policy of increaſing courts and judges, to prevent crimes and wrongs, to protect the weak againſt the ſtrong and inſure virtue and humanity among the people. I deny both the propoſition and inference drawn from it, in the extent contended for. From whence, I aſk, do gentlemen draw their authority for ſuch extenſive legiſlation? From whence ariſes their power to paſs theſe laws to prevent crimes, to protect the weak againſt the ſtrong and to puniſh the guilty? Not from the conſtitution, I will ſafely affirm; for under it, but 3 or 4 ſpecies of crimes are puniſhable by federal laws: to wit, treaſon, piracies and felonies on the high ſeas, offences againſt the laws of nations, and counterfeiters of the ſecurities or coin of the United States. Theſe conſtitute their powers on the ſubject of criminal juriſprudence; and are the ſum total of our powers, written or unwritten: unleſs indeed the gentlemen draw ſome of their authority for their extenſive notions of legiſlation, from the *lex non ſcripta* of Alfred's country, which I am told ſome gentlemen conſider as attaching itſelf to our conſtitution. But admitting the propoſition to be true, is the concluſion drawn from it well founded, that a multiplicity of courts and judges inſpire terror, and prevent litigation and the commiſſion of wrongs. I confeſs I am now for the firſt time to learn, that to inſpire terror and prevent wrongs, you ought to embody an army of judges; and that to ſupport or diſcourage litigation, you ought to embody another ſet of men, their general attendants, called lawyers, who it ſeems, for the firſt time, are to become peace makers; who with their robes and green bags will ſtrike ſuch terror into the nation, that a purſe of gold may hang in ſafety by the high-way. Halcyon days, theſe indeed, which are promiſed from a continuance of theſe judges; and if not viſionary, I could then anſwer the gentleman from Maſſachuſetts in the affirmative, that the millenium was indeed approaching.

The neceſſity for numerous courts and judges is alſo inſiſted on by ſuggeſtions that foreign invaſions may happen, and that inſurrections may alſo happen; that conſequently great revenues will be wanting, and conſequently numerous courts to inforce their collection. This is reaſoning at a very great diſtance indeed from the ſubject, to prove its utility. But I am willing to indulge the gentlemen and admit, that invaſion will happen, and annually if he chooſes. and inſurrections quarterly; I will then contend, that until the population of America amounts to five times the preſent number; we ſhall not ſtand in need of as many judges as there now are, to adminiſter juſtice on all the ſubjects which can rightfully under the preſent conſtitution be carried to federal adjudication.

The gentleman from New-York has favored us with another argument on this head, not addreſſed to the fears, but to the pride of the people, and aſks if the paltry additional expence ought to have any weight, when it cannot amount to more than one cent a man. I anſwer ſir, that one cent a man will not to be ſure oppreſs the people; but this is a very unfair way of appealing to the ability of the people, by ſhewing them among the 1000 items which compoſe the aggregate of their burdens, what each man's proportion is, of one very ſmall item. But as that honorable gentleman has told us, "that he conſiders the government reſting on the reaſon of man as a ſolecism," I ſhould ſuppoſe with due deference to him, that the better way would be, to govern this machine man, to increaſe the army rather than the judiciary. Twenty thouſand regulars, properly diſpoſed of, would make us as honeſt as Alfred's ſubjects, and would coſt us only 3 or 4 dollars a head. This too is a kind of terror familiar in countries like Alfred's: but an army of judges is a new experiment, as we have been told this law is; and was reſerved for the politicians of theſe our enlightened times.

Much has been ſaid about the hardſhip which will ariſe to judges, who have quitted lucrative employments and taken ſeats on the bench, conſidering them as permanent proviſions. One gentleman deſcribes them as a venerable ſet of men bending under the weight of years, and not poſſeſſing the agility of poſt-boys: another, as men who have been induced to abandon the active and lucrative purſuits of the law. Take them as portrayed by either gentleman. If they are men of the firſt deſcription, there can be little hardſhip in permitting them to return to that ſtate of tranquility and retirement, from which they muſt have been no doubt reluctantly drawn; and to which their age and infirmities muſt again invite their return. If they are men of the laſt deſcription, can they not readily return to thoſe ſame active and lucrative purſuits which they had quitted? Have their talents and faculties, for the purſuits to which they were bred been paſſed, by a ſeat for a ſingle year on the bench? and can that ſingle year's derangement of their affairs be retributed only by a penſion of 2000 dollars a year for life? Such calculations and demands muſt ilſy comport with the character of thoſe of the firſt deſcription; and they are poor compliments indeed to the talents, legal acquirements, and legal ſtanding of the ſecond. But is there no hardſhip on the ſide of the community? Is it enough for them to be told by theſe judges, true it is, you have eſtabliſhed an uſeleſs ſet of courts, but we have been lucky enough to get into office, the conſtitution proteſts us there, and get us out if you can? I doubt, ſir, this reaſoning would not be ſatisfactory to men poſſeſſing common honeſty and the ordinary notions of right and wrong. It would not, however be taken as a ſatisfactory ſet off againſt the 50,000 dollars annually.

The gentleman from New-York has contended ſtrongly againſt an idea which he apprehends is entertained, of increaſing the power and influence of the States, by leſſening your federal courts.

I hold out no ſuch idea. It was a ſurmiſe of the gentleman. I wiſh the federal government to poſſeſs and exerciſe all its rightful powers, but no more. I wiſh the States alſo, to be left in the exerciſe of theirs. I do not wiſh to ſee every thing valuable extracted from them. I do not wiſh to

see all possible subjects drawn into the great vortex of federal legislation and adjudication. I do not in short wish, as some gentlemen may do, to see one mighty consolidated sovereignty collected from and erected on the ruins of all the States sovereignties.

It is now growing late, and the committee must be fatigued; I will trespass very little longer on them. Many of the observations, which I have answered, were it is true, very foreign and irrelevant to the subject. They were, it is true, but the gleanings, as the gentleman who have preceded me left little for me to answer.

But, permit me for a single moment to draw gentlemen's attention to the real merits of this question, and ask, have the arguments been fairly and satisfactorily answered by the gentlemen in the opposition; arguments which went to the many difficulties and absurdities which would grow out of the constitution, under the construction against which I contended; which went to shew, that the constitution could only be fairly and rationally construed to secure the independency of a judge in office, during the continuance of that office; which went to shew, that the power of congress to erect inferior courts, was discretional and was therefore necessarily accompanied by the power to abolish them; that by the construction contended for, sinecure offices for life would be erected under the constitution; that the absurdity of an officer without an office, would exist; that the power of legislation on judicial subjects, would in effect be arrested; indeed destroyed; and that it would produce the extraordinary phœnomenon in our government, of an officer not amenable to your laws, to your constitution, or to the people themselves? I appeal to gentlemen, if these have been fairly and satisfactorily answered?—They have not.

Debate to be continued.

By virtue of a decree of the Court of the United States, for the 4th Circuit in the Eastern Virginia District, bearing date the 6th day of December, 1801, in favor of Stanfbury & Haydock, against John Segar,

WILL BE SOLD,

For ready money, to the highest bidder, on Saturday the 27th day of this month,

A HALF ACRE

Lot of Land,

With a two story House thereon,

LYING in the town of Dunkirk, in the county of King and Queen, which Lot is known in the plan of said town by No. 2, with the Appurtenances thereunto belonging, the property of the said John Segar, to satisfy Stanfbury & Haydock, one thousand and one dollars, with interest thereon, to be computed after the rate of five per centum per annum from the 27th day of October, 1796, till payment, and the costs of suit, together with the expences attending the sale.

BEN. MOSBY, Commissioner.

February 3, 1802. 3w.

P. S. The Sale will take place on the premises between the hours of 12 and 2 o'Clock.

STOLEN

Out of room No. 6, at the Eagle-Tavern,

A TRUNK,

THE property of William Newsum, containing sundry articles of clothing and some letters and papers, among them was a BOND of James Welch to General Mathews and John Lovett, for one hundred and twenty odd pounds. Some of the cloathes have been recovered, but the bond has not. All persons are cautioned against receiving or passing the bond, and a handsome reward will be paid to any person who shall deliver the same at the Eagle-Tavern.

Richmond, Feb. 2d, 1802. (3w)

A GARDENER,

WHO has been regularly bred to the business in Europe, and who has been employed in this country for some years, offers his services to any gentleman who may be in want of a person to superintend his garden. Of his ability and character he can give sufficient satisfaction. Letters addressed to A. R. to be left at this Post-Office, will be immediately attended to.

Richmond, Feb. 4, 1802.

Pursuant to a decree of the Court of King William county, will be sold, for ready money, at the Eagle Tavern, on Saturday the 6th day of February next,

One likely Negro Man named

N A T,

Belonging to the estate of Nunn Lipscomb, deceased.

G. W. Smith,
Liston Temple,
Wm. Temple,
Robert Brooke, } Comm'rs

Richmond, January 30, 1802.

NEW-YORK, Jan. 25.

Extract of a letter from an officer of the United States frigate President. dated

Malaga, November 9, 1801.

"With pleasure I inform you that we take our departure from the Straits very soon; we proceed from this to Algiers—we are detained here in consequence of a head wind. From Algiers we proceed home. It is said we will touch at Cadiz. I suppose I shall see you about the 1st of February."

[As the account lately published in the Baltimore papers, of the capture of the ship President, by a number of gallies belonging to the Bey of Tripoli, may have created some apprehension in the minds of the friends of Com. Dale, his officers and ship's company, the above extract is given to shew they were safe at the date of the letter, and of the improbability of the report being true.]

[From a Dominique Paper of the 26th November, received at the office of the Mercantile Advertiser.]

In consequence of an application made by the Chief Consul to his Majesty, passes have been granted for an army of 45,000 men to proceed from Brest escorted by 10 sail of the line (French) to reduce St. Domingo to its former state of order. The same permission has been granted to an army of 12,000 men, under the command of Gen. Macdonald, who are to be immediately embarked likewise at Brest escorted by 7 sail of the line, to take possession of Martinique and Guadaloupe. It has been mutually agreed between the two Courts to assist one another in bringing our Colonies into a complete state of order and security. We congratulate our readers on this happy event; and we trust, that our neighbours at Guadaloupe will see the necessity of immediately returning to their allegiance, or else a dreadful day of reckoning awaits them.

The Island of Madagascar has been fixed on by the chief Consul, as the place to send all those infamous Insurgents who dare violate the laws of the mother country. A similar example it is probable may be followed among us against any of those refractary gentry who may be puffed with ideas that the diabolical system *would never be abolished.*

PHILADELPHIA, Jan. 27.

We are happy to learn, that after a thorough and minute investigation of the conduct of Mr. Allen M'Clane, Collector of the port of Wilmington, (D.) the executive has given the opinion that the charges preferred against this valuable officer were unsupported by facts; and that it has appeared, from the testimony of the case, that he has uniformly been influenced, in his official demeanour, by the purest consideration of public interest.—This honorable acquittal has been conveyed to Mr. M'Lane, in a polite letter from the Secretary of the Treasury.

Washington-City, Jan. 29.

Extract of a letter from the American Consul at Gibraltar, dated 24th December 1801.

"The trial of the Brig Sally, Capt. James, has come on, and the vessel and cargo were liberated. The cargo of the schooner Mary, Capt. Ward, was condemned and there is to be another hearing with respect to the vessel.

Extract of a letter from a gentleman at Madrid, dated 6th Nov. 1801.

"Several of our merchant vessels, which had been captured and carried into Algesirus by Spanish armed boats or vessels, have been set at liberty: but no compensation has been allowed for the great losses and damages occasioned by their unjust detention."

It is with regret we have to announce that the report of the loss of the boat belonging to the frigate President, with ten men including officers, in Gibraltar Bay, is but too true.

The following extract of a letter from Commodore Dale to the Secretary of the Navy, confirms the melancholy event.

Extract of a letter from Com. Dale, to the Secretary of the Navy, dated Straits of Gibraltar, Oct. 26, 1801.

"It is a painful task for me to inform you of the sad catastrophe that happened to the cutter, a boat belonging to the President, and the officers and men who were in her, on the 22d instant;—being a very fine morning, I sent her over to Gibraltar with a letter to Mr. Gavino, requesting him to have the articles ordered for the ship in readiness, as I expected to be over with the ship in two or three days. The boat left Gibraltar on her return back, at 11 o'clock, A. M. By this time the wind was blowing very fresh, the boat by some means was overset, and every soul on board was lost except one man, whom I have not seen as yet.—The enclosed is a list of the officers and men that were lost. It is something surprising that the boat was not seen to overset either from Algesirus or Gibraltar, as it is not more than five and an half miles across, and the accident took place between 2 and 3 o'clock."

List of men lost in the President's boat.

John M. Clagget, lieutenant,
Elias Willis, midshipman,
John Street coxswain,
John Evans, seamen,
John Miles, do.
Jacob Dodge, do.
William Smith, do.
Thomas Bragg, do.
William Maybrook, do.
Joseph Dickson, do.

The name of the man saved is not mentioned.

The Editor of the National Intelligencer has received a Gibraltar paper of the 23d Oct. which says,

"One of the men on board (George Hamell) swam on shore to the Old Molehead. He supposes all the rest perished. Two bodies have since been dashed on shore at this place."

BALTIMORE, January 23.

IMPORTANT.

A gentleman belonging to a respectable mercantile house of Alexandria, now in this town received a letter from his partner last night dated the 21st instant, which says, "*I am sorry to inform you Toussaint is no more. He has been caught by the blacks and burnt alive.*" The letter mentions nothing further on the subject; but from Cape-Francis, there is no doubt but his information is from the most unquestionable source. His letter, probably came by way of Norfolk, where captain Ferguson, whose packet left there on Tuesday last, states that the same report of Toussaint being burnt was current, though not generally credited.

Toussaint was probaly way laid by some of Moyes's party in his usual tour from the Cape to Port Republican, which he mostly made without any guard. And as a retaliation for the death of their general, and to prevent, as they suspect, betraying them to the whites, it is not unlikely that they have inflicted this savage and excruciating torture.

Should this news unfortunately be true, a ferocious resistance will be made to the troops embarked for that colony, and much blood will be shed before the blacks can be subdued.

The Virginia Gazette.

—RICHMOND—

FRIDAY, FEBRUARY 5, 1802.

The General Assembly of Virginia adjourned on Tuesday last, after a session of eight weeks, during which they have passed about one hundred Acts, a list of the titles of part of which follows—the remainder will be published in our next.

1. An act to incorporate the town of Staunton in the county of Augusta.
2. An act to incorporate the trustees of the Belfield Academy in the town of Belfield, in the county of Greensville.
3. An act concerning the town of Front Royal.
4. An act to amend the act establishing an Academy on the Glebe Lands of Martins-Brandon Parish, in the county of Prince-George.
5. An act to empower the courts of Ohio, Patrick, and Hardy counties, to authorize persons to solemnize the rites of marriage.
6. An act to establish an inspection of tobacco on the land of Charles Yancey, in the county of Buckingham.
7. An act to increase the salaries of the inspectors of tobacco at North and South Wicomico Warehouses, and for other purposes.
8. An act authorising John Barnett and others to build a toll bridge across Dan river.
9. An act to establish a town on the lands of Nicholas C. Davis and Thomas W. Cocke, in the county of Amherst.
10. An act to establish an inspection of tobacco on the lands of James Martin, in the town of Lynchburg.
11. An act for enlarging the stock of the Upper Appomatox Company, and for other purposes.
12. An act for refunding a sum of money to Nathaniel Wyche, late sheriff of Sussex county.
13. An act for adding part of the county of Botetourt to the county of Monroe, and part of the county of Randolph to the county of Harrison.
14. An act for discharging Robert Alexander, clerk of Campbell county court, from a certain judgment obtained against him in behalf of the commonwealth.
15. An act for refunding a sum of money to William Burge, administrator of Drury Burge, dec.
16. An act for allowing to James M'Clenny, sheriff of Nansemond county, an additional commission on a certain tax by him collected.
17. An act for adding part of the county of Sussex to the county of Greensville.
18. An act allowing to William Bishop an additional compensation for collecting the taxes therein mentioned.
19. An act authorising Larkin Stanard to discharge by instalments the judgment therein mentioned.
20. An act to establish an academy in the county of Pittsylvania.
21. An act authorising Edmund Terrell to build a toll bridge over Rapid Ann river.
22. An act to establish an inspection of tobacco in the town of Danville.
23. An act giving further time to owners of lots in the town of Lynchburg to build thereon.
24. An act to amend an act, intituled an act empowering the Governor to transport slaves condemned, when it shall be deemed expedient,
25. An act to explain and amend an act for altering the place of holding courts in the county of Isle-of-Wight.
26. An act to amend an act intituled an act concerning the slopes in the mill-dams on the south branch of the Potowmac.
27. An act giving further time to the purchasers of lots in the towns of New-Canton and Bernardsburg, to build thereon.
28. An act to prevent hogs running at large in the towns of Harrisonburg and Charleston.
29. An act concerning the salary of the public printer.
30. An act to establish an inspection of tobacco on the land of Robert Watkins, in county of Chesterfield.
31. An act to amend and reduce into one the several acts of assembly for improving the navigation of Appomattox river, from Broadway to Pocahuntas bridge.
32. An act for remitting a sum of money to the estate of William Allen, deceased.
33. An act to incorporate the trustees of Washington Henry Academy in the county of Hanover.
34. An act to establish an inspection of tobacco on the lands of Allen Bernard, in the county of Fluvanna.
35. An act concerning the Glebe lands of this commonwealth.
36. An act to empower the trustees of Washington Henry Academy to raise a sum of money by lottery.
37. An act for establishing several towns.
38. An act to amend an act concerning the town of Lexington, in the county of Rockbridge.
39. An act authorising the Potomac company to open the Shenandoah river.
40. An act appointing other trustees of the town of Point Pleasant, in the room of those formerly appointed.
41. An act concerning the town of Lewisburg, in the county of Greenbrier.
42. An act to amend the act incorporating the town of Petersburg.
43. An act authorising Joseph Tomlinson to collect the balance of taxes due in the county of Ohio, for the year 1797.
44. An act authorising the governor of the commonwealth to cede to the United States the jurisdiction over certain lands on New Point Comfort, and on Smith's Point, for the purposes of building light-houses.
45. An act to amend the act intituled an act for altering the place for holding courts in the county of Norfolk, and also to authorise the court of said county to appropriate out of any money in their hands a sum not exceeding three thousand dollars towards the completion of a court house and jail in the town of Portsmouth and county aforesaid.
46. An act to amend the 6th section of the act for reducing into one the several acts concerning the Land-Office, ascertaining the terms and manner of granting waste and unappropriated land, or settling the titles and bounds of lands; directing the mode of proceeding, and prescribing the duty of surveyors.
47. An act to increase the rates of ferriage at certain places.
48. An act to amend and explain the act concerning public roads.
49. An act for cutting a navigable canal from Nansemond river to Somerton creek.
50. An act to prevent the burning of the woods.
51. An act for opening and extending certain streets in the town of Petersburg.
52. An act authorising flour manufactured in this state to be carried to the district of Columbia.
53. An act concerning the high court of chancery.
54. An act concerning the town of Martinsburg, in the county of Berkley.
55. An act to direct the mode of proceeding under executions in certain cases.
56. An act to amend an act intituled an act reducing into one the several acts making provision for the restraint, support and maintenance of ideots and lunatics, and the preservation and management of their estates.
57. An act releasing to Scott Bredin the right of the commonwealth to a certain tract or tracts of land.
58. An act concerning Ward's ferry, in the county of Campbell.
59. An act to establish a turnpike between the town of Manchester and Falling creek on the Buckingham-road.
60. An act to establish a turnpike on the road over the mountain at Swift run gap.
61. An act concerning the distribution of unbequeathed personal estate.
62. An act for establishing several new ferries.
63. An act to establish an academy and incorporate the trustees thereof, in the county of Halifax.
64. An act to amend and reduce into one act the several acts concerning pilots, and regulating their fees.
65. An act making further provision for furnishing the public officers of this commonwealth with the laws thereof.

A resolution relative to the purchase of lands without the limits of this state, to which persons obnoxious to the laws may be sent.

VIRGINIA:

In the High Court of Chancery.

Between

DAVID ROSS, Plaintiff,

And

JOHN OLD, Defendant.

THIS cause came on the twenty-fifth day of May, in the year of our Lord one thousand eight hundred and one, to be heard on the bill, answer, exhibits and examinations of witnesses, and was argued by counsel; on consideration whereof the court doth adjudge and decree: unless the defendant do on or before the twenty-sixth day of November next, pay unto the plaintiff, two hundred and sixty seven pounds, thirteen shillings and ten pence, of current money of Virginia, with interest thereupon to be computed after the rate of five per centum per annum, from the twenty third day of April, one thousand seven hundred and eighty-five, until payment and the cost expended by the plaintiff, in the prosecution of this suit, that the said defendant and his heirs, and all persons claiming under him, be from thenceforth barred and foreclosed of all equity and right, to redeem the several tracts or parcels of land mentioned in the indenture of mortgage, among the exhibits made the twenty third day of April, one thousand seven hundred and eighty-five, between John Old of the one part, and David Ross of the other part; and in case of default in the payment of the said principal money, interests and costs, at the time aforesaid, that David S. Garland, John Wyatt, George Dillard and John Christian, or any two of them, after giving three weeks previous notice, in one or more of the Richmond newspapers, do expose to public sale, by auction, for ready money, the lands in the said indenture mentioned and out of the proceeds of such sale, pay unto the plaintiff, the said principal money, interests and costs, and the surplus, if any after deducting the expences attending the sale, pay unto the defendant, and make report thereof to the court.

A Copy—Teste

PETER TINSLEY.

Plaintiffs costs clerk and sheriffs fees,	Dols.	Cts.
	16	97
Lawyers fee and tax,	17	66
	34	63

IN obedience to the foregoing decree, we will sell, at public sale, at Amherst court house, for ready money, on the 15th day of March next, (it being court day) the Lands in the said decree referred unto, which we find by the Mortgage to be 120 acres more or less, in the great bent of James River, Amherst county, purchased by the said John Old, from George Hilton; also another piece or parcel of Land, containing five acres, commonly called the Mine-Bank, purchased from said George Hilton. This Land was intended, as we are informed by the said John Old, for erecting a furnace for making iron, for which purpose it is tho't to be well adapted. The said mortgage also conveys all the entries made by said Old, joining the said land, which will be sold at the same time and place.

David S. Garland.
George Dillard.
John Christian.

January 30, 1802. tds

TO BE SOLD,

At a low price, and immediate possession given to the purchaser, a very

Valuable Farm,

LYING on both sides of Swift Creek, in the county of Powhatan, about twenty miles from Manchester, containing 470 acres, with a large proportion of good meadow ground, the creek running near the middle of the tract more than a mile; on which is a well built Manufacturing Mill, in good repair on a never failing stream, with an excellent and permanent Stone Dam; situate in a fine wheat country, and in a good neighborhood for custom.

It is presumed that those inclined to purchase will view the premises.

For terms apply to Col. Bernard Markham, near the town of Manchester, or to the subscriber, near the coal-pits, in the upper end of Chesterfield.

WM. FLEMING.

January 29, 1802. (ep4w)

BY virtue of two decrees of the worshipful court of Henrico county, WILL BE SOLD, on the premises, on the 10th day of this month,

2 Tracts of Land,

Late the property of William Allen and William G. Allen, situate a few miles below the city of Richmond, on the lower road leading from the said city to Bottom's Bridge, and containing each between two hundred and three hundred acres. They formerly composed the tract on which Col. Philip Barbour resided. The terms of sale will be one third cash; a credit of twelve months will be given for one other third, and two years for the remainder, to bear interest from the date if not punctually paid, and a deed of trust will be required to secure the two last payments.

SMITH BLAKEY, Commissioner.

February 1, 1802.

SEEDS.

Minton Collins,

Respectfully informs his friends and the public, that he has lately received, from the Northern States, a very general assortment of

GRASS SEEDS;

And from London, via New-York, a fresh assortment of

GARDEN SEEDS,

Which may be had at his SEED STORE, for CASH only, viz.

Red & White Clover,

Trefoile or yellow	Green and Yellow
ditto,	Savoy do.
Lucern & Timothy	Large Winter,
seed,	Scotch, Dutch &
Burnet & Ryegrass	Madeira Cabbage,
ditto,	Red Dutch to pickle,
Bluegrass, Burden	Brussels Sprouts and
grass, & Saintfoine,	Borecole,
Furz or Whin seed,	Early and late Cauliflower,
Spring Tares, or	Green, purple and
Vetches,	white Brocolie,
Hemp, Flax, Rape,	Salfafie & Narsturtium,
Mustard, Canary,	White and green
and Spinage,	Coss Lettuce,
Large Norfolk and	Indive Ice Lettuce,
Summer Turnips,	Roman, Cabbage,
Early Lemon, short-	Brown Dutch, &
top and white	Grand Admiral
Turnip Radish	Lettuce,
seed,	Corn Sallad,
Early Frame, Hot-	Early Frame & long
spur, Charlton,	green Cucumber,
Marrowfat, Spa-	Madeira, Silver skin,
nish Morotto, &	Red and Welsh
Prolific Peas,	Onion,
Large Windsor, long	Red & Orange Ca-
pod and Massagan	riot,
Beans,	Large Parsnip,
Blood red Beet and	White and Green
Solid Celery.	Asparagus,
Early York, Sugar	Garden Cress, and
Loaf, and Batter-	Peppergrass,
sea Cabbage seed,	of Flower Seeds;

With an assortment of Glass Flower Bottles; some Painted Flower Pots, and Beachers for Chimney Ornaments, and Red Garden Pots, &c.

A TREATISE on GARDENING, by a Native of this State.

Richmond, Dec. 31, 1801. (tf)

PROPOSALS

FOR PUBLISHING,

BY JAMES WALKER,

OF FREDERICKSBURG,

THE SPEECHES OF

M. De Mirabeau,

THE ELDER:

Pronounced in the National Assembly of France.

TO WHICH IS PREFIXED,

A Sketch of his Life & Character.

IT is unnecessary to make any remarks on the merit of this work, as every man, who has read at all, must be somewhat acquainted with the character of Count *De Mirabeau*.

"I have been, I am, I will be to my "grave, the MAN of Public Liberty, the "MAN of the Constitution. Woe be to "the privileged orders, if privileges con- "stitute the Man of the People, and not "rather the Man of the Nobles; for pri- "vileges will have an end, but the People "is eternal."

The character of Mirabeau as an orator is well drawn by the translator of his speeches, *(James White)*—"As a politician, he occasionally experienced interruption; as an orator, he never knew what it was to be despised. The closeness of his reasoning was relieved and illustrated by the fire and majesty of his declamation. None coughed, none muttered curses, none stole away to dinner, when Mirabeau rose to speak: his admiring auditors paid him the homage of deep silence; and when he ceased, their natural deficiency of phlegm, betrayed them into the most animated proofs of approbation. No gaudy ideas, no glittering verbosity, amused the ear and imagination, at the expence of the understanding, nor distracted attention from the main subject of debate. It was not a display of fire-works, but a grand and awful discharge of artillery, doing effectual execution upon the auxiliaries of despotism."

CONDITIONS.

The work will be printed in 2 volumes, octavo, on good paper, and with a neat type. It will be neatly bound and lettered, and contain about 750 pages. The price to subscribers will be 3 Dollars; to booksellers, who take a great number, a reasonable deduction will be made.

☞ Subscriptions will be received at this Office.

January 10, 1802.

NOTICE.

I SHALL leave this place for a few weeks. My business will be attended to by Mr. JAMES THOMPSON, until I return.

Josiah Dickson.

Richmond, January 22d, 1802.

FAIRFAX COUNTY, *ss.*

THIS DAY was committed to the Jail of said county, a negro man named GEORGE; about 35 years of age, middling stout made, his cloathes so much worn as not to be describable; he says he is the property of Joshua Pope, of Prince George county, Maryland.—The owner is desired to come, prove his property, pay charges, and take him away, otherwise he will be dealt with as the law directs.

W. Millan, D. S. & Jailor.

December 10th, 1801. 8t§

E. W. ROOTES,

HAS FOR SALE,

Antigua Rum, by the Hhd.
Holland Gin, by the Pipe;
Cotton Cards, by the Box, assorted;
Philadelphia Porter, by the Barrel, of 3 doz. bottles.
Candles, by the box;
2d 3d 4d 5d and 6d Nails, by the barrel;
20 Tons Swedish Iron, assorted.
Excellent Madder, by the Cask;

AND A GENERAL ASSORTMENT OF

SHOES.

Richmond, September 26, 1801.

Robert Gordon, & Co.

HAVE FOR SALE,

A GENERAL ASSORTMENT OF

GOODS,

Received by the the America, from Liverpool, and Courtney, from London:

ANONGST WHICH ARE,

A variety of coarse Woollens,	Calicoes, Chintzes, Camel's Hair, and Cotton Cambrick Shawls,
Superior quality Spanish Wool,	Veils,
Superfine Cloths and Cassimeres,	Silk Handkerchiefs, for Turbans,
Swansdowns,	Lady's Half boots & Shoes,
Manchester Stuffs,	Fowling Pieces and Pistols,
Bombazetes, Corduretts, Durants,	Jewellery, Plated Ware, Ironmongery, and Hardware.
Fine & coarse Hats,	
Muslins, Dimities,	
Fine Irish Linens,	
Cambricks,	
Silk, Cotton & Worsted Hosiery,	

They have within these four weeks, received by the Helvetic, from Madeira, for Sale, in Pipes, half and quarter Pipes, a supply of the very best quality WINE, which they can particularly recommend.

They have, also, a large Stock of India cottons, Bandannas & Lustrings; Brown & Loaf Sugars; Port and Sherry Wines; Old Rum, and French Brandy; Imperial, and Young Hyson Teas; Nail Rods; Bar Iron; Steel; Paints, & Oil, &c. &c.

Richmond, October 26, 1801.

FALL GOODS.

The SUBSCRIBER

Is Receiving by the *Juno* from *Liverpool*, and other ships from *London & Bristol*,

A GENERAL ASSORTMENT OF

MERCHANDIZE,

WHICH will be SOLD at the customary advance, by the Piece or Package, for Cash, Merchantable Produce, or at the usual credit to punctual customers.

He is likewise supplied with a variety of

East and West-India Goods.

Also, with SALT, STEEL, &c. on the most reasonable terms.

Robert Gamble.

Richmond, Oct. 10, 1801.

CARPETS & CARPETING.

THE SUBSCRIBER

Has just received and now opening at his store, a very general and elegant assorment of

Carpets & Carpeting,

WHICH will be SOLD Cheap, for Cash or Country Produce, by

Robert Gamble.

Richmond, 7th Dec. 1801.

A FEW BARRELS

Superfine Flour,

MADE of threshed White wheat, recommended for private use, FOR SALE, by

Samuel Parsons.

1st Month 7th, 1802.

CASH

GIVEN FOR

TOBACCO,

AT the second house below the Eagle Tavern, by

John Richard, & Co.

Richmond, Nov. 19, 1801.

MILLER W. McCRAW

AND

ROBERT GWATHMEY,

Having connected themselves in trade, under the firm of

McCraw & Gwathmey

TAKE this method to inform their Friends and the Public, that they have commenced business in the COMMISSION LINE, in the house lately occupied by Mr. *Thomas Hooper*, opposite Messrs. *Hooper & Toler's*, where they are ready to receive Consignments from those who may be pleased to confide in their care any species of property; their strict attention to which, they hope, will gain them public patronage.

They will always give the highest Cash price for Country Produce.

Richmond, January 1, 1802. 1aw4w.

FOR SALE,

THE ENGLISH HORSE,

HAMILTON,

[Late the Bay Colt.]

EIGHT years old last May. He is in good order, and may be seen at my Stable, at Mont Comfort, one mile from the Capitol. For terms apply at my Office, in this city.

Thomas Wilson.

Richmond, Dec. 8, 1801.

PEDIGREE.

January 31st, 1797.

"THIS IS TO CERTIFY that THE "BAY COLT was got by High Flyer, "dam by Eclipse, from Young Cade, "which was the dam of Vauxhall."

(Signed) "GROSVENOR."

"N. B. The Cade mare, the dam of "Vauxhall, was also the dam of Dulcinea, Mambrino, and Sancho, all first "runners."

FALL GOODS.

Samuel P. Braddick,

HAS Just Received by the Octavia, from London,

A LARGE AND HANDSOME

SUPPLY,

WHICH he will dispose of low, for Cash or Country Produce, or Acceptances in Town.

Optical Diagonal Machines with the Books of Prints; Pictures in Gilt Frames; Horseman's Pistols; Pocket Pistols with Spring Bayonets; Reive's Water Colors and Pencils; List Shoes and Boots with Soles; Patent Lambs-wool Drawers; Shirts and Dressing Gowns; Gentlemens' travelling Caps; Hardham's No. 9, Snuff.

Richmond, October 2d, 1801. [4mhs

The SUBSCRIBER,

Begs leave to inform the public, and his friends, that he has taken

The TAVERN,

FORMERLY occupied by Col. Parke Goodall, in the City of Richmond; and he flatters himself from his knowledge of the business and his strict attention, to render general satisfaction. His bar shall always be supplied with the best materials for that purpose, having a plenty of good servants, and an excellent hostler: his Stables will be supplied with plenty of Forage and Litter.

He wishes to take a few

BOARDERS,

at the customary price; and has also made preparations for the accommodation of FIFTEEN or TWENTY Members of the Assembly, who shall be strictly attended to, by

Peter Wilkinson.

Richmond, Dec. 1st, 1801.

Forty Negroes

Will certainly be Sold, for Cash, at public auction, in the town of Lynchburg, the 10th day of February next.

THE whole of these negroes were raised in Amherst county; they are very likely, consisting of Men, Women, Boys and Girls, among them is one valuable waterman.

JOHN WARWICK.

Lynchburg, Jan. 16, 1802. (3w)

THE SUBSCRIBER

Informs the Public, that the noted Horse

OLD DARE DEVIL

Will stand the ensuing season at his house in Chesterfield county.

Thomas Goode.

January 12, 1802. [1aw3f.]

Ten Dollars Reward.

STRAYED or STOLEN,

From Westover, in Charles City County, a brownish

Bay Horse,

RAther low; crop-ear'd with a switch tail; He turns his fore-feet rather in and carries his head high when he trots; sinks about the neck; and has no white that I recollect about him. Whoever will deliver him at Westover, or to Mr. Wm. Crozier, in Richmond, shall receive the above reward.

Wm. Nelson, jun.

January 26, 1802. cop3t.

NOTICE.

In the case of Edward Downing and Thomas Downing, Bankrupts.

PURSUANT to notice for that purpose given, the Assignees of the estate and effects of Edward and Thomas Downing, attended a meeting of the Commissioners of Bankrupt, on Saturday the 23d ultimo. From the report and exhibits of said Assignees, it appeared that a sufficient sum in money was not in hand to enable a dividend to be made. The commissioners therefore instructed the Assignees, that a dividend be called, so soon as they shall have received monies sufficient to authorise the same; a notification whereof will duly appear under the direction of the said commissioners.

Conrade Webb,
Solicitor to the Commission.

Commissioner's Office, Petersburg, Jan. 25, 1802.

IN consequence of the pressing solicitude of the creditors of the aforesaid Edward and Thomas Downing, we wish to remind all those Debtors whom we have hitherto indulged, as also those whose bonds are now falling due, that suits will be indiscriminately ordered to March term, unless payment shall be previously made.

Robert Moore,
John Bell, } Assignees.

Petersburg, Jan. 25, 1802. 1aw 4w

FOR SALE,

102313 *Acres of Land,*

ON the waters of Great Sandy River, each side of Louisa Fork, Russel County, surveyed in February, 1795, and originally granted by patent to Richard Smith and Henry Banks.

This valuable tract will be put up for sale, at public auction, in Baltimore, on the 15th day of March next, and for the convenience of purchasers will be parceled out in lots of 10,000 acres each. The terms of payment will be one fourth cash, the remainder in 3 equal payments, every 4 months. The titles, in every respect, are indisputable. For other information and particulars enquire of *Lewis Pascault* or *Henry Messounier*, in Baltimore, or of *Joseph Gallego*, in Richmond.

December 25th, 1801. (cp1stM

William Temple,

Has Imported by the latest arrivals from London & Liverpool,

A GENERAL ASSORTMENT OF

MERCHANDIZE,

Which he will dispose of low, by the PIECE OR PACKAGE.

He has also just received the following Articles, for sale.

5 PIPES,	Genuine Old Port WINE.
10 Hogsheads,	
8 Qr. Casks,	

2 Pipes Madeira Wine;
1 Hhd. Old Antigua Rum, 4th Proof;
10 Tierces London Porter;
20 Hhds. Sugar;
50 Bags Coffee;
700 Sacks Liverpool Salt.

Richmond, Nov. 30, 1801.

Robert & Allan Pollok & Co.

Are now receiving by the late arrivals from London, Liverpool, & Glasgow,

A GENERAL ASSORTMENT OF

DRY GOOD,

SUITED to the present and approaching Season, which they offer FOR SALE on moderate terms,

BUCHANAN & POLLOK,

Of Petersburg, and

ROBERT POLLOK & Co.

Of Manchester,

Are also now opening their Supplies of

FALL AND WINTER GOODS

Richmond, October 8, 1801.

Peach & Apple

BRANDY

For Sale by the barrel.

E. W. Rootes.

Richmond, Dec. 21, 1801.

Dissolution of Partnership.

THE public are hereby notified, that the Partnership in Trade, formerly carried on by David Buchanan, James Dunlop, and Robert Pollok, under the firms of

BUCHANAN, DUNLOP, & Co.

In Petersburg,

DUNLOP, POLLOK, & Co.

In Manchester, and

ROBERT POLLOK, & Co.

In Richmond,

Was dissolved, on the 31st day of August last.

Mr. James Dunlop will pay and receive all debts due by and to the concern, at Petersburg, as will Mr. Robert Pollok, those at Richmond and Manchester.

David Buchanan,
per his Attorney in fact,
Robert Pollok.
James Dunlop.
Robert Pollok.

Petersburg, 8th Oct. 1801.

FAIRFAX COUNTY

WAS committed to the jail of this county, on the 15th day of October last, a negro man, as a runaway, who calls himself

DICK;

Says he belongs to GROVES HARRIS, of Prince Edward county, Virginia. He is about 30 years of age, 5 feet 6 or 8 inches high, had on when committed to jail, a white Negro cotton great coat, an old felt hat, his other clothes so much worn as not to be describable. The owner is requested to come forward, prove property and pay charges, otherwise he will be proceeded with as the law directs.

WILLIAM MILLAN, D. S. & Jailor,

Fairfax Jail, Nov. 13, 1801. 3m

The Subscriber, having taken the

Raleigh Tavern,

IN the City of Williamsburg, under his own management; and having laid in a large supply of the best wines and other LIQUORS, is encouraged to suppose, from his former success in this line of business, that he shall be able to give complete satisfaction to travellers and others, who shall resort to his house for entertainment. He also with pleasure informs the public, that owing to the fall which has taken place in the price of most of the productions of the country, he is enabled to reduce the Stage Rates to what they formerly were. Baggage carried as usual, at the risque of the owner.

Philip Moody.

Williamsburg, Dec. 24, 1801.

---

30 *Dollars Reward.*

RUN-AWAY, the first of March last, from Mr. Bates of Amherst county, a negro man named BILLY; he is about 20 years of age, five feet ten inches high, of a tawney complexion, and as well as I recollect, has a scar on the left side of his forehead. BILLY, was purchased of Mr. William Penwick of Richmond. As his mother lives in Petersburg, it is supposed he is lurking about Richmond or Petersburg. BILLY is now the property of Thomas Bibb of Amherst. The above reward will be paid to any person who apprehends and delivers the said negro to Mr. Cugneau, in Amherst, and all reasonable expences paid.

THOMAS BIBB.

September 17th, 1801. [tf]

NOTICE.

The Subscribers have formed a Commercial connexion, under the firm of

Long and Crews.

THEY will be principally concerned in the purchase of Country Produce.

Should any business be offered in the Commission Line, it will meet due attention from *Thomas Crews*, residing in Lynchburg, and *Will. Long*, here.

Their Office is on the second story above Messrs. ELLIS & ALLAN's Store,

Will. Long,
Thomas Crews.

Richmond, Jan. 1st, 1802.

Mrs. Booth, & Co.

RESPECTFULLY acquaint their friends and the public that they continue the Millenery and Mantua Making Business as formerly carried on by Mrs. Boyce, and solicit a continuance of their favors.

Mrs. Booth resides in the house lately occupied by Mrs. Boyce, near the Market, and begs leave to add, that every article will be finished in the neatest and most fashionable manner. New HEAD DRESSES always on hand. Bonnets from two dollars upwards.

Richmond, Jan. 23d, 1802. [4t]